

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO

NO. 17-BK-3283 (LTS)

As representative of

PROMESA TITLE III

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.

**MEMORANDUM AND ORDER GRANTING MOTION FOR RELIEF OF STAY IN
CASES 02-1179 (GAG) GLADYS GARCÍA RUBIERA, ET AL. V. HON. LUIS G.
FORTUÑO, ET AL; AND GLADYS GARCÍA RUBIERA, ET AL, V. ASOCIACIÓN DE
SUSCRIPCIÓN CONJUNTA, ET AL, CIVIL NUMBER K DP2001-1441 (801)**

Plaintiffs' class in cases 02-1179 (GAG) Gladys García Rubiera, et al. v. Hon. Luis G. Fortuño, et al; and Gladys García Rubiera, et al, v. Asociación de Suscripción Conjunta, et al, Civil Number K DP2001-1441 (801), have filed a motion requesting relief from the stay covering the above-mentioned cases pursuant Title III of PROMESA. They move under Section 362 (d)(1) of the Bankruptcy Court claiming that as the funds involved in the referred litigation were funds belonging to plaintiffs' class which the government of the Commonwealth held in trust and there is cause under Section 362 (d)(1) to lift the stay.

The debtors have filed an objection and the Court has considered fully the arguments of the parties. It is the Court's considered opinion that the stay is inapplicable as the funds involved do not belong to the Commonwealth but are funds belonging to the

class in which the courts in the above referred litigations approved a stipulation and entered judgment determining that the belonged to the plaintiffs' class and ordered refunds returned to them.

This Court further finds that there is cause to lift the stay and allow both cases to continue to enforce the stipulation and judgment entered in all its terms including the payment of attorney's fees. This Memorandum Order resolves docket entry number ____ in case no. 17-BK-3283-LTS.

SO ORDERED.

Dated: February ____, 2018

/s/Laura Taylor Swain

LAURA TAYLOR SWAIN
United States District Judge